

**FILED**

**NOT FOR PUBLICATION**

**NOV 18 2008**

**UNITED STATES COURT OF APPEALS**

**MOLLY C. DWYER, CLERK**  
**U.S. COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

**UNITED STATES OF AMERICA,**

Plaintiff - Appellant,

v.

**COMPREHENSIVE DRUG TESTING,  
INC.,**

Defendant - Appellee.

No. 05-10067

D.C. No. MISC-04-234-SI

**ORDER**

**MAJOR LEAGUE BASEBALL  
PLAYERS ASSOCIATION,**

Petitioner - Appellee,

v.

**UNITED STATES OF AMERICA,**

Respondent - Appellant.

No. 05-15006

D.C. No. CV-04-00707-JCM

**In re: SEARCH WARRANTS  
EXECUTED ON APRIL 8, 2004 AT  
CDT, INC.,**

No. 05-55354

D.C. No. CV-04-02887-FMC

**SEAL 1,**

Plaintiff - Appellant,

v.

**SEAL 2,**

Defendant - Appellee.

**KOZINSKI**, Chief Judge:

Oral argument in this en banc case will be held at 10:00 a.m. on Thursday,  
December 18, 2008, in Pasadena, California.